

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

LUELLE JAMES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:23-CV-115-SNLJ
	)	
STEVEN MOORE, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on review of the casefile after its assignment to the undersigned. The Eighth Circuit has admonished district courts to “be attentive to a satisfaction of jurisdictional requirements in all cases.” *Sanders v. Clemco Indus.*, 823 F.2d 214, 216 (8th Cir. 1987). “In every federal case the court must be satisfied that it has jurisdiction before it turns to the merits of other legal arguments.” *Carlson v. Arrowhead Concrete Works, Inc.*, 445 F.3d 1046, 1050 (8th Cir. 2006). “A plaintiff who seeks to invoke diversity jurisdiction of the federal courts must plead citizenship distinctly and affirmatively.” 15 James Wm. Moore, et al., *Moore’s Federal Practice* § 102.31 (3d ed. 2010).

Plaintiff filed this action pleading diversity jurisdiction under 28 U.S.C. § 1332(a)(1). [Doc. 1.] Plaintiff alleges that defendant Aramark is a limited liability company (“LLC”) organized under the State of Delaware and has its principal place of business in Delaware. [Doc. 1 at ¶ 2.] “An LLC’s citizenship, for purposes of diversity

jurisdiction, is the citizenship of each of its *members*.” *E3 Biofuels, LLC v. Biothane, LLC*, 781 F.3d 972, 975 (8th Cir. 2015) (quoted case omitted) (emphasis added). “The State of an LLC’s organization does not determine its citizenship; only the citizenship of the LLC’s members is determinative.” *Cleek v. Ameristar Casino Kansas City, LLC*, 47 F.4th 629, 635 (8th Cir. 2022). Here, without giving the names of any individual members of the LLC, plaintiff pleads that “all members of Defendant Aramark are residents of Delaware and, if not, are residents of states other than the State of Louisiana.” [Doc. 1 at ¶¶ 3, 7.] This catch-all recitation does not satisfy the requirements for showing that this Court has jurisdiction over this matter. Plaintiff must identify each of the individual members of the defendant LLC and specifically plead the state of their citizenship. Only then can this Court be assured of its own jurisdiction.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff shall have fourteen (14) days from the date of this order to file an amended complaint in accordance with this memorandum. If plaintiff does not timely comply with this order, this matter will be dismissed for lack of subject matter jurisdiction.

**IT IS FURTHER ORDERED** that all other proceedings in this case are **STAYED** pending further order of this Court.

Dated this 5th day of July, 2023.

A handwritten signature in dark ink, appearing to read "Stephen N. Limbaugh, Jr.", is written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.  
SENIOR UNITED STATES DISTRICT JUDGE